

**STATE OF MARYLAND
JUDICIARY**

Policy on the Employment of Relatives

I. PURPOSE

The purpose of this policy is to establish uniform practices regarding the employment (including regular, contractual, and temporary) of relatives in the Maryland Judiciary. The intent of this policy is to prevent the appearance of partiality in the hiring, promotion, demotion, reassignment, and transfer of employees, thereby limiting the negative effect on morale and the appearance of impropriety.

Pre-existing employment relationships falling within the purview of this policy will be permitted to continue; however, that exception does not apply to promotions, reassignments, and transfers after the effective date of this policy, which are governed by this policy.

II. DEFINITIONS

A. Administrative Official

1. The Clerk of Court for the Court in which the employee works;
2. The Administrative Clerk or Administrative Commissioner of the District Court for the district in which an employee works; or
3. The director of the respective department or office within the Courts of Appeal, the Administrative Office of the Courts, the District Court headquarters, or the Court-Related Agency in which the employee works.

B. Relative

1. Spouse of employee;
2. Parent or grandparent of employee or spouse or anyone who took the place of a parent or grandparent, including step-parents and step-grandparents;
3. Child of employee or spouse, including step-children and current foster children;
4. Sibling of employee or spouse, including step and half-siblings;
5. Aunt or Uncle of employee or spouse;

6. Niece or Nephew of employee or spouse;
 7. First cousin of employee or spouse; or
 8. Brother-in-law, sister-in-law, son-in-law, or daughter-in-law of employee or spouse.
- C. Same Office – The court, department, district, or office over which the Administrative Official has authority or in which a member of the bench currently sits.
- D. Supervisor-Subordinate Relationship – A relationship where an employee is within the chain-of-command of a relative.

III. SCOPE

This policy applies to all courts, offices, departments, and agencies of the Maryland Judiciary.

IV. POLICY STATEMENT

The Judiciary encourages, and stresses the importance of, the recruitment, selection, and advancement of employees on the basis of demonstrated work, knowledge, skills, and abilities. If relatives meet the established requirements for job vacancies based on their qualifications and performance, then they are eligible for employment with the Judiciary with certain restrictions as stated in Section V.

V. PROHIBITED EMPLOYMENT RELATIONSHIPS

A supervisor-subordinate relationship shall not occur at the time of employment or thereafter, nor shall a relative assume for the other the role of advocate with respect to conditions of employment, promotion, demotion, reassignment, or transfer. In the event a family relationship between two employees is created during employment, the Administrative Official, in consultation with the Human Resources Department, shall ensure that a supervisor-subordinate relationship does not exist. Under no circumstances shall relatives of the Administrative Official or relatives of active members of the bench be eligible for employment in the same office as the Administrative Official or the member of the bench.

Relatives shall not work for the same supervisor without the prior approval of the Human Resources Department.

VI. EMPLOYEE RESPONSIBILITIES

All applicants for employment with the Judiciary are required to disclose the names of relatives currently employed by the Judiciary, as indicated on the employment application. Current employees and the Administrative Official are required to disclose any prohibited employment relationship that may be created due to the promotion, demotion, reassignment, or transfer of the employee, or an

election. Failure of the employee to provide this information may be grounds for the termination of employment.

VII. INTERPRETIVE AUTHORITY

The Judiciary Human Resources Department, in consultation with other parties as appropriate, is responsible for the interpretation of this policy.